IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.162 OF 2007

In

CIVIL REVISION APPLICATION NO.162 OF 2007

Neelam Sridhar Kshirsagar : Applicant

V/s.

Rubina Thadani & Ors. : Respondents

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Mr.H.Jagtiani, Senior Advocate, i/b. Mr.Mohan Bir Singh for the applicant.

Mr.A.K.Abhyankar, Senior Advocate, i/b. Ms Raksha D. Tanna for respondent no.1.

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CORAM : S.A.BOBDE, J.

DATE : JULY 4, 2007.

P.C.

1. This application for condonation of delay is opposed on behalf of the non-applicant on the ground that this Court granted leave to file C.R.A. within a period of four weeks from 15.3.2007 and the applicant has presented the C.R.A. on 20.4.2007 and not before 15.4.2007. Mr.Jagtiani, learned counsel for the applicant, submits that the petition was presented around 10th April 2007 and office objections were removed on 17th April, 2007.

Mr.Abhyankar, the learned counsel for the respondent no.1, states that the petition was itself presented on 20th April, 2007 and there is a suppression of this fact. There is some basis for the opposition, but it does not seem to be well-founded, because even before 20th April, 2007, there is an endorsement that objections were removed on 17th April, 2007. The presentation form is mutilated. In all probability, the contention of the learned counsel for the applicant seems to be correct that the matter was presented somewhere before 17th April, 2007 and possibly around 10th April, 2007, as he says. The delay, in any case, is not deliberate and deserves to be condoned.

2. The application for condonation of delay is allowed. Interim order to continue till further orders.

3. Put up the C.R.A. on 11.7.2007.

S.A. BOBDE, J.